Notice of Allowability	Application No.	Applicant(s)	
	10/765,792	ZELIGS, MICHAEL A.	
	Examiner	Art Unit	
	Nabila G. Ebrahim	1618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *amended claims and invetor's declaration filed 6/29/07*.

2. ☒ The allowed claim(s) is/are *17-22,34 and 43-53*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 9/26/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant representative, Mr. Thomas Friebel on 1/14/2008.

The application has been amended as follows:

Replace all previously amended claims with the following listing of claims:

Listing of Claims:

1-16. (canceled)

17. (currently amended) A method of treating endometriosis in a subject having endometriosis comprising administering to the subject an amount of an indole selected from the group consisting of 3,3'-Diindolylmethane (DIM), 2-(Indol-3-ylmethyl)- 3,3'-Diindolylmethane (LTr-1) and Indole-3-carbinol (I3C) effective to reduce one or more symptoms associated with endometriosis, wherein the indole is formulated as a tablet, pill, capsule, suppository, cream, parenteral suspension or liposomal spray, or is suspended as microparticles in a starch carrier matrix.

18. (currently amended) The method according to claim 17, wherein the symptom is selected from the group consisting of pain, dysplasia, and the level Ca-125 antigen detectable in serum.

19. (currently amended) The method according to claim 17, wherein the indole is I3C.

20. (currently amended) The method of claim 17, wherein the indole is DIM.

21. (original) The method of claim 20, wherein the DIM is suspended as microparticles in a starch carrier matrix.

22. (currently amended) The method of claim 17, wherein the indole is LTR-1.

23-33. (canceled)

34. (previously presented) The method of claim 17, further comprising administering grapefruit, grapefruit concentrate, grapefruit juice, or grapefruit juice concentrate.

35-42. (canceled)

43. (new) The method of claim 19, 20 or 22, wherein the indole is suspended as microparticles in a starch carrier matrix.

44. (new) The method of claim 17, wherein the indole is formulated as a tablet.

45. (new) The method of claim 17, wherein the indole is formulated as a pill.

46. (new) The method of claim 17, wherein the indole is formulated as a capsule.

47. (new) The method of claim 17, wherein the indole is formulated as a suppository.

48. (new) The method of claim 17, wherein the indole is formulated as a cream.

49. (new) The method of claim 17, wherein the indole is formulated as a parenteral suspension.

50. (new) The method of claim 17, wherein the indole is formulated as a liposomal spray.

51. (new) The method of claim 17, wherein the indole is suspended as microparticles in a starch carrier matrix.

51. (new) The method of claim 44-46, wherein the indole is administered orally.

52. (new) The method of claim 47, 48 or 50, wherein the indole is administered by direct application to the vaginal or cervical mucosa of the subject.

53. (new) The method of claim 47, 48 or 50, wherein the indole is administered transdermally.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabila G. Ebrahim whose telephone number is 571-272-8151. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hartley can be reached on 571-272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nabila Ebrahim
1/20/08

MICHAEL G. HARTLEY
SUPERVISORY PATENT EXAMINER